

The Times

THE COUNCIL MADE QUITE A SHAKE-UP IN THE POLICE COMMISSION YESTERDAY.

LOS ANGELES

FRANCE HAS SUDDENLY SEVERED ALL DIPLOMATIC RELATIONS WITH BULGARIA.

ELEVENTH YEAR.

TEN PAGES.

TUESDAY MORNING, DECEMBER 15, 1891.

4:10 O'CLOCK A.M.

PRICE: SINGLE COPIES, 5 CENTS;
BY THE WEEK, 3 CENTS.

STANDARD PIANOS.

FOR HIS PERSONAL USE!

FATHER JOHN McCARTHY

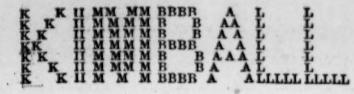
OF THE

OLD MISSION CHURCH.

Opposite the Plaza,

HAS BEEN SELECTED A

NEW SCALE:



PIANO:

For his personal use, having purchased a fine upright this week from the Reliable Music House of

BARTLETT BROS. & CLARK,

129 N. SPRING ST.

AMUSEMENTS.

SIMPSON AUDITORIUM.

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— 100 —

VOICES:

RED RICE'S.

R — RED RICE'S — TUESDAY, DEC. 15. Here we offer you sets in all around. Bedroom sets that have been selling for \$18 now sell for \$16; bedroom sets that sold for \$22 now sell for \$20; solid oak bedroom sets that sold for \$32 now \$27; walnut sets that are selling for \$35 now \$30; a good lounge at Red Rice's for \$12; a fine antique folding bed for \$35; a fair folding bed for \$15; a good set of chairs for \$15; good new pianos for \$12; good desks for \$12; pretty rug sets for \$12; sets of tables for \$12; a good set of 50, tables for \$10; chairs for the children for \$10; hundred for less than value. To be sure, it is well worth your while to call at RED RICE'S WONDERFUL BAZAAR, 143 and 145 S. Main st., Los Angeles. That's the place.

THREE SAVED.

Story of Survivors of the
Maggie Ross.

The Captain and Engineer Stayed by
the Ship and Perished.

The Rescued Men Found in an Open
Boat Without Oars.

Loss of the British Steamer Moselle—The
Passengers and Crew Saved—The
Plucky Captain Loses His Life.

By Telegraph to The Times.

MANSFIELD (Or.), Dec. 14.—[By the Associated Press.] The schooner Annie Gee, which has been lying outside the Coos Bay bar for the past five days, arrived in this city in tow at noon today. The Gee had on board three of the sailors rescued from the disabled steamer Maggie Ross, which was towed into Yaquina Bay last Friday.

F. Bokland, one of the rescued men, said: "As we showed around Cape Arago Sunday night a storm struck us from the southwest with great fury, blowing away the sails, from that time we were at the mercy of the gale and every wave dashed over the vessel.

Next day at 12 o'clock we cut away the deckload of lumber, which carried houses and everything with it. Steward Anensen was killed on Tuesday, being crushed by the lower house. Both the ship's boats were stove in and made unsightly.

The Annie Gee came up with us Tuesday morning and sent out her boat, which five of us, including Captain Marshal and the engineer, managed to reach, not, however, until the second mate was lost overboard. Two of us had both legs broken and the oars of the boat were lost. The captain and engineer, at their request, were for a third time returned to the Ross, preferring to chance their life on board the disabled vessel rather than in the frail ship's boat. "I will take my chances aboard the ship" were the last words of Captain Marshal. We left them with one man dead on the deck, one overboard and several others seriously injured.

"With pieces of fence boards, which we managed to pick up, we struggled for hours with our boat, filling and at most sinking, until we were finally picked up by the Annie Gee. Capt.

Marshal seemed to be more anxious for the safety of the crew than for himself.

It is possible that they constructed a raft, as that was talked of as a last resort, though lack of material and their crippled condition may have prevented this. There is yet a chance for them, but I have little hope."

Henry Berntzen and Hans Anderson, two injured seamen, are now lying in the marine hospital here, each having both legs broken, probably recovered.

A BRITISH STEAMER LOST.

Passenger and Crew Saved—The Brave Captain Drowned.

O'CONNOR & DRAPER, The Leading
REAL ESTATE AND INSURANCE BROKERS
OF San Bernardino County.

CHOICE ORANGE LANDS A SPECIALTY.

Call on or address O'CONNOR & DRAPER.

Stewart Hotel Block, San Bernardino, Cal.

FOR A HOLIDAY PRESENT, TRY ONE
OF OUR BEAUTIFUL FUR RUGS, or a nice
DAGGER, or a handkerchief, or a nice
Easy Chair is also a sensible and useful gift.
Parlor Tables, fancy Desks or Bookcases are
guaranteed mortgaged in all denominations for
use. Highest rates allowed consistent with
prudent business. Call on us for a free estimate
and inspection invited. Money to loan at
current rates.

J. H. BHALLY, Secy.
E. SPENCE, Treas.

Friday Evening, Dec. 18, 1891.

Will be produced by the PASADENA CHORAL SOCIETY, consisting of over 100 voices, under the direction of M. O. Stewart Taylor. Los Angeles will give Pasadena a royal reception in its position. Admission: Main door, 50c; gallery, 25c. Tickets can be secured at the music stores.

AMUSEMENTS.

NEW L. A. THEATER.
H. C. WIATT, Manager.

THREE DAYS ONLY,
FRIDAY, SATURDAY AND SUNDAY,
Dec. 18, 19 and 20. Saturday Matinee.

* GOODYEAR, ELITCH & SCHILLING'S
Minstrels! *

NEW GRAND FIRST PART!
FINE MUSIC!

GOODYEAR, ELITCH & SCHILLING'S
Minstrels! *

NEW GRAND FIRST PART!

FINE MUSIC!

Poplar prices—25c, 50c, 75c and \$1.

HAZARD'S PAVILION—

ADMISSION FREE.

— 100 —

VOICES:



CHIEF GLASS

Is After Him!



You can see what's the matter! Santa Claus couldn't resist the temptation, and it's not to be wondered at. He succumbed to the fascination of one of our elegant new style tan cheviot \$18 Sack Suits, and it will take the whole police Tug-of-war team to get it away from him. It is a wonder Santa Claus did not take one of those

\$15.00 SUITS

We told you about yesterday. We mean the six styles that have been marked down from \$17.50. They were big value at \$17.50 and at \$15 we say with confidence they are the best value in town.

Keep Your Eye on Us

During Christmas week. We have something in store for you; something that interests the young and old alike!

London Clothing Co.

Corner Spring and Temple sts.



The Original and Genuine
(WORCESTERSHIRE)
LEA & PERRINS
SAUCE

Extract of a LETTER from a MEDICAL GENTLEMAN at Madras, to his brother at WORCESTER, dated May, 1881.—"Tell him that their sauce is highly esteemed in India, and is in my opinion, the best sauce ever made, and as the most wholesome sauce that is made."

Beware of Imitations;

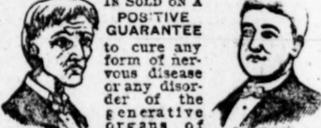
see that you get Lea & Perrins'

Lea & Perrins

Signature on every bottle of Original & Genuine JOHN DUNCAN'S SONS, NEW YORK.

The Celebrated French Cure,

Warranted "APHRODITINE" for money to cure



BEFORE
with all its attendant infirmities, from the excessive use of stimulants, tobacco or opium, or through youthful indiscretion, over indulgence, etc., such as loss of brain power, wakefulness, bad dreams, fits, convulsions, fits of epilepsy, fits of hysteria, nervous prostration, nocturnal emissions, leucorrhœa, dizziness, want of power of impulsion, fits of depression, which if neglected, may lead to premature old age and insanity. Price \$100 a box, 8 boxes for \$80 sent by mail on receipt of payment.

A WRITTEN GUARANTEE is given for every \$5 order received, to refund the money if the cure is not successful. We have thousands of testimonials from old and young, of both sexes, who have been permanently cured by the use of APHRODITINE. Circular Terms. Address

The Aphroditine Medicine Co., H. M. SALE & Son, 229 South Spring St.

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The Gem of the San Gabriel Valley.

ONLY Three Miles from City

PROPERTY of San Gabriel Wine Co., Original Owners

LOCATED at Spring Station on line of P. R. R. and San Gabriel Valley Rapid Transit Railroad.

FROM 10 to 15 Minutes to the Plaza, Los Angeles City.

CHEAPEST Suburban Town Lots, Villa Sites or Agriculture Property.

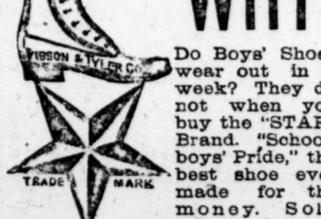
POPULAR Terms. Purest Spring Water.

INEXHAUSTIBLE Quantities Guaranteed.

Apply at office of SAN GABRIEL WINE CO., Ramona, Los Angeles Co., Cal., Or to M. D. WILLIAMS, Ramona.

TRADE MARK

WHY



Gibson & Tyler Co., 142-144 NORTH SPRING ST.

GABEL

THE TAILOR

REMOVED TO

250 S. Spring St.

IMMENSE REDUCTIONS.

Pants to Order, \$3.50 to \$1.2.

Suits to Order, \$15.00 to \$4.0.

All work made in Los Angeles by First-class Workmen! FIT GUARANTEED.

ADVICE TO THE ACED.

Age brings infirmities, such as sluggish bowels, weak kidneys and torpid liver. Tutt's Pills

have a specific effect on these organs, stimulating the bowels, gives natural diaphoresis, and imparts vigor to the whole system.

FALSE ASSERTION.

There are no other unscrupulous manufacturers and dealers in porous plasters regarding theirorative powers. BROWN & CO. & CO. are the only ones endorsed by over 5,000 physicians and pharmacists. Beware of imitations and substitutes.

Upon motion of Councilman Rees the Street Superintendent was instructed to remove the sidewalk and any other obstruction still existing in Center Place, formerly known as Mott alley.

Councilman McGarry presented the following motion, which was adopted unanimously:

Recommend that the publishing of the ordinance regarding the laying of sidewalk on Thirtieth street be discontinued.

GRANULIA, the great health food, for sale by all grocers. H. Jevne's.

NATIONAL INJECTOR free with each bottle of Shiloh's Catarrh Remedy. Price 50 cents. Wholesale by Haas, Baruch & Co.; and all retail druggists.

NEW FEATURES at the Waxworks.

TRUFFLED sardines at H. Jevne's, 13 and 18 N. Spring.

GLUTEN FLOUR, sure cure for diabetics. H. Jevne, 130 and 138 North Spring st.

FINE FEATURES at the Waxworks.

CREAM PUFF ready raising flour.

THE CITY COUNCIL.

Business Transacted at Yesterday's Session.

More Discussion Over the Figueroa Street Pavement.

An Unexpected Shake-up in the Police Commission.

The Positions Declared Vacant and a New Board Elected, Including Messrs. Lewis and Snyder—General Routine Matters.

The City Council met in regular session yesterday morning with Councilman Tufts in the chair and every ward except the Third being represented.

After the usual preliminaries had been disposed of the following message was received from the Mayor:

To the honorable Council of the City of Los Angeles:—At the request of a member of your honorable body I return without my approval an ordinance of the city to impose a portion of Tenth street, adopted by the Council on November 30, 1891.

Respectfully, etc.,

HENRY T. HAZARD, Mayor.

Councilman Rhodes explained that he had requested the Mayor to return the ordinance for the reason that the grade had not been properly established, and it would have to be regraded at some future date the property owners were naturally averse to being assessed twice for the work, which could be done as well first as last. Upon his motion the vote by which the ordinance had been adopted was reconsidered and the matter was referred back to the Board of Public Works for further investigation.

REPORTS OF OFFICERS.

The report of the City Auditor showing the condition of the funds for the week ending December 5 was read and referred to the Finance Committee.

That of the City Treasurer showing the transactions of his office during the month of November last was referred to the City Auditor.

The Water Overseer presented his annual report in accordance with section 58, article 4, of the City Charter, which was referred to the Zanja Committee.

The Finance Committee's report, as published in THE TIMES on Saturday last, was read and adopted.

REAL ESTATE LICENSES.

The recommendation of the committee that the real estate agent's license be reduced to \$2 per month was discussed at some length. Councilman Rhodes offering an amendment to the effect that each member of every real estate firm be required to pay a license of \$1 per month, which was defeated by a vote of 5 to 3, his supporters being Innes, Summerland and Alford.

This amendment was suggested by City Attorney McFarland, who, when called upon to express his views on the subject, stated that in his opinion the best way to reach every person in the real estate business was to license each individual member of every firm carrying on such business.

The usual batch of demands was read and approved in accordance with the recommendations of the Finance Committee.

MOTIONS.

Councilman Rees moved that twenty of the fifty telephones furnished free to the city be assigned to the city schools as apportioned by the Board of Education, and one to each of the following offices: City Tax and License Collector, City Assessor, Justice Austin, Police Judge Owens and two for the Board of Park Commissioners.

Councilman Innes moved that action thereon be postponed for one week and the matter placed in the hands of a committee of distribution meanwhile, but the motion was defeated by a vote of 5 to 3. Messrs. McGarry, Tufts and Innes constituting the minority. The original motion was then adopted by a simple vote.

Upon motion of Councilman Rees the City Clerk was directed to communicate with the Southern California Railroad Company with the view of ascertaining whether or not it desired to renew its lease of the stock yards in East Los Angeles, as the present one expired at the end of the current year.

The same member also moved that the Street Superintendent be instructed to remove the curb from the street at the intersection of Los Angeles and Second streets and place a few loads of dirt on that part of the Grange House lot which is now a portion of the street, so as to render it passable for teams. Carried.

The report of the Board of Public Works was then taken up and all the recommendations therein contained, as heretofore published in THE TIMES, were adopted as read.

The recommendation that the petition for the paving of Figueroa street from Washington to Simpson streets be granted was opposed by Councilman McGarry, who presented the following motion:

To the honorable City Council: GENTLEMEN—In the matter of the paving of Figueroa street from Washington to Simpson streets I would recommend that the portion of said street between above points be divided equally between bituminous and asphaltic pavements for the following reasons:

First—The Bituminous Lime Rock Company presents a majority petition for the entire distance and therefore is certainly entitled to recognition.

Second—it is generally conceded that either pavement is good, if properly laid, and by putting both pavements down on the same street there is an excellent opportunity to compare the merits of respective pavements.

In support of his report Councilman McGarry said that minorities were usually conceded to have certain rights, but here was an instance of majority petitioning and there was no attention paid to their petition. He thought the best way was to divide the street between the asphalt and bituminous lime rock people, and the same travel would pass over both portions. If the Council would, however, to consider the majority's petition they would simply have to present it to the Board.

After a warm debate the minority report was, upon motion of Councilman Rees, laid upon the table and the majority report was adopted.

Upon motion of Councilman Rees the Street Superintendent was instructed to remove the sidewalk and any other obstruction still existing in Center Place, formerly known as Mott alley.

Councilman McGarry presented the following motion, which was adopted unanimously:

Recommend that the publishing of the ordinance regarding the laying of sidewalk on Thirtieth street be discontinued.

MISCELLANEOUS.

The following bids for veterinary services for the city's horses were opened: J. C. Blackinton, \$206 per annum, or \$4.40 per horse; R. F. Whittaker, \$27.75 per month; W. J. Oliver, \$35 per month; and W. E. D. Morrison, \$35 per month. All were referred to the Supply Committee.

Upon motion of Councilman Rees the Street Superintendent was instructed to remove the sidewalk and any other obstruction still existing in Center Place, formerly known as Mott alley.

Councilman McGarry presented the following motion, which was adopted unanimously:

Recommend that the publishing of the ordinance regarding the laying of sidewalk on Thirtieth street be discontinued.

THE COURTS.

Supreme Court's Decisions Received for Filing.

The Friends of Mrs. Lavinia Harris Want a Rehearing.

They Claim That the Wealthy Widow is Not Insane.

The Chinese Perjury Trial Still On Before Judge McKinley—Ed Baker Too Sick to be Sentenced—New Cases.

The decision in the Supreme Court dismissing the appeal from the judgment and affirming the order denying a motion for new trial of the lower court in the case of Dunlap (respondent) vs. Steere (appellant) was received by Deputy Clerk Cupid yesterday for filing in this city. This was an action in equity to set aside a former judgment between the parties, wherein the alleged title of the defendant herein to certain land described in the complaint was quieted as against all claimants of the present plaintiff.

The findings of the court below show that this judgment was obtained by default and was a set-off to the summons therein by publication, and that the present plaintiff had no knowledge of the pendency of that action or of the rendition of said judgment until more than a year after its date. The court also found, and the evidence is sufficient to sustain these findings, that in point of fact plaintiff here was the owner of the property involved in that action and that not only was defendant without title, but he knew that the allegations of the complaint filed by him for the purpose of obtaining the judgment referred to were wholly false.

The question therefore presented, says Justice De Haven in his opinion, is whether a judgment thus obtained is beyond the reach of successful attack in a court of equity. The legal effect of this judgment permitted to stand to dispossess plaintiff of all title to property in favor of one who has succeeded by a compliance with the new forms of law in obtaining such judgment, and that, too, without the knowledge of plaintiff, and therefore when it was morally impossible for him to defend it.

"We think the plaintiff is entitled to the relief which he asks, not only upon authority, but upon the plainest principles of justice."

This opinion is concurred in by Justices Sharpstein and Harrison.

Chief Justice Beatty files a concurring opinion, but dissenting opinions are filed by Justices McFarland and Patterson.

Councilman Innes nominated M. P. Snyder.

Councilman Summerland nominated T. J. McCaffrey.

Councilman Rhodes nominated A. Lewis.

Councilman Nickell nominated A. F. Mackey.

Councilman Reed nominated G. R. Shatto.

Councilman Alford nominated George R. Weeks.

A vote was then taken and the following were elected to the first ballot: Snyder, Lewis, Mackey and Shatto.

The clerk was instructed to notify the gentlemen of their election.

TO BE SENTENCED.

Upon presentation of a certificate from Dr. H. B. Ellis to the effect that the defendant was unable to appear in court Judge Shaw yesterday ordered the removal of sentence upon Ed L. Baker yesterday morning until Monday next.

STREET WORK.

An ordinance granting permission to property owners on Twenty-fourth street to grade the same by private contract was presented and passed under suspension of the rules.

The Building Committee was instructed to arrange for disposing of the gas stoves formerly used in the City Hall, the new hot-water heating apparatus now being in use.

The report of the City Engineer was presented and the recommendations adopted.

An ordinance of intention for the grading of Union avenue was passed under suspension of the rules; also an ordinance of intention changing the grade of Flower street, between Tenth and Twelfth streets, which also passed.

An ordinance of intention of establishment of cement curb, passed.

The City Engineer presented special specifications for the paving of Pearl street, by which all companies may bid on the work, which were referred to the Board of Public Works for one week.

Adjourned.

PETITIONS AND COMMUNICATIONS.

Following petitions and communications were read and referred to the proper committees:

Daniel Schieck et al. want an ordinance prohibiting hitching horses on Franklin street.

Alice J. Peck et al. protest against the building of an additional culvert between Evergreen Cemetery and the Francesca tract.

F. C. Smith et al. want Pico street at the city limits made passable for loaded teams.

J. J. Carpenter wants to erect a hitching sign post at 308 West First street.

E. T. Wright et al. want First street, between Broadway and Pearl street, put in proper condition.

F. C. Smith et al. want a crosswalk laid at Grand avenue and Tenth street.

THE TIMES-MIRROR COMPANY,

PUBLISHERS OF THE
Los Angeles Daily Times, the Sunday Times, and the Saturday Times and Weekly Mirror.H. G. OTIS.....President and General Manager.
W. M. A. SPALDING.....Vice-President.
MARIAN OTIS.....Secretary.
ALBERT MC FARLAND.....Treasurer.Dove: Times Building.
Telephone numbers: Editorial, 674; Business office, 29.

N. E. corner of First and Broadway.

The Los Angeles Times

Founded December 4, 1881.

VOLUME XXI.

ELEVENTH YEAR. NUMBER 12.

TERMS: By Mail, \$9 a year; by carrier, \$5 cents a month; or 20 cents a week. Sunday Times, \$2 a year. Weekly, \$1.40; 6 months, 75 cents.

Entered at the Los Angeles Postoffice for transmission as second-class mail matter

In Two Parts : : : : Ten Pages

GUARANTEED CIRCULATION.

OVER 9500 COPIES DAILY

An electric plow has been invented in Minnesota. Horses are dispensed with and the power is supplied by a storage battery.

JOAQUIN MILLER changed his own name from C. Hiner Miller to what it is in honor of Joaquin Murietta, the bandit. He derives additional luster from the highway now that his own son has turned out a stage robber.

Ir certain pictures presented by the San Francisco Examiner last Sunday in connection with Montreal correspondence are true to life Chris Buckley has been "snowed under" a good deal worse in Canada than he ever was in San Francisco.

Since John L Sullivan, while drunk, was whipped by a third-rate slugger in this State his humiliation is said to know no bounds, and he threatens to take a course of bichloride of gold. It would take a great deal of gilding to make a decent man of him.

Mr. CHRISTOPHER BUCKLEY, whose health has been greatly improved by his short sojourn in Montreal and the recent decision of the Supreme Court of this State, announces by telegraph that he will immediately return to San Francisco. The report may not be true, but if it is the metropolis may get its hands out to welcome him with "Lo, the Conquering Hero Comes!"

The Express makes an unfortunate reference—unfortunate for itself—to an electric railway company. When a willing but impetuous tumble-bug of a newspaper makes application to a street railway company for a job as "defender," and is refused employment, the rebuff naturally makes it sad, not to say mad. Hence its subsequent venom.

The Louisville Courier-Journal says the experiences of the Government with the Pacific railroads should warn it against having anything to do with the bonds of the Nicaragua Canal. So much the more reason why the Government, having helped get the people under the thumb of a monopoly, should do something to relieve them. The next time Uncle Sam need not do his business so loosely as to be cinched. He can take a first mortgage.

The newly-amended rules of the State Board of Horticulture are very strict as to the importation of trees and plants to this State. They require all consignees or agents to notify the local inspectors or guaranteed guardian within twenty-four hours after the arrival of the imported trees, plants, buds, seeds, etc. All such imports are to be inspected and, if necessary, disinfected immediately upon their arrival. If insects or diseases are found the shipment is to be quarantined for at least fourteen days, or until the qualified officer shall pronounce the plants or seeds free from contagion. The introduction of orchard stock from districts where peach yellows or rosette exists is prohibited.

The newspaper-defender, apologist and obedient follower of the genus boss recognizes the picture drawn by THE TIMES. When one of its gang is accurately described in these columns it flatters with the sensitiveness of a wounded bird struck by the hunter's aim. It was so yesterday. A sensitive "organ" like the Evening Express, when it finds that a shot has been suddenly fired into its covey (in the underbrush of local politics,) and some member or members of the flock have been hit hard, ought to cry out, not simply in a long, leaden howl, but by "naming names." It should furnish a list of the wounded, and an appeal to the public in customary fashion, against the coarseness and brutality of the merciless gunner. What political friend, fakir, counselor, backer and endorser of the evening organ has been struck now! Out with it, and let us know your grievance! If you have tears to shed, prepare to produce your "handkerchers." Speak, Bezonian, or take to the Custom-house!

WHILE Prof. Garner is studying the missing link from the ape's standpoint and developing a language by which he can communicate with the simians. Dr. Robinson of England is doing what he can to ally the human race with the lower order by studying the natural characteristics of new-born infants. He has found that a young baby will grasp a limb just like a monkey and sustain its entire weight by its grip. He cites instances of a child twelve hours old which held itself up in this way for twenty seconds. Of twins one week old one held on one minute and seventeen seconds and the other one minute and nine seconds. A child three days old held on for forty-eight seconds. Dr. Robinson also finds that a child instinctively strikes with its hand and bites like a monkey, and its natural efforts in the way of articulation are not so unlike a monkey's as to be remarkable. Now let Prof. Garner try his monkey-talk on a baby, and if the youngster understands it we shall have the two demonstrations connected and the missing link will be missing no longer. But a good deal of sentiment will be knocked out of that beautiful poem, "What is the Baby Saying?"

The Decennial "Times." It is a solid and a superb issue of 24 large pages.

Citizens' spread the Anniversary Number abroad by hundreds and thousands of copies! It is the most interesting publication and the most effective missio[n]ary agent that can be sent out, by reason, particularly, of the ten years' showing and contrast presented in its columns. It is a distinctively Los Angeles publication, and makes the city and country luminous.

Orders sent to the counting-room—by mail, messenger or Times carriers—will be carefully filled.

Prices in lots: 5 copies, 25 cents; 10 copies, 50 cents; 20 copies, \$1.00.

THE TIMES-MIRROR COMPANY.

How We Went Down with a Crash.

We read in the Stockton Mail:

It may as well be said, however, that there is a happy medium which may profitably be observed even in public spirit. The Mail has nothing to praise for the enterprise of northern California, but it will do well to remember that they once built so high and so rapidly that their structure fell with a crash. Overdoing is sometimes as bad as underdoing, and it is always well to heed the lesson that experience has taught.

This is in line with a good deal of criticism that has been indulged in by the up-country press within the past two or three years. It may be "in all kindness" but we doubt it in the case of the northern press generally, though we will strain a point and consider the Mail an exception. We rather think it is that sort of kindness that blandly applies a knife below the fifth rib and turtles tickling assurances of everlasting regard. Coupled with a mock compliment on the enterprise of Southern Californians, the Mail gives the obviously insincere warning that "they will do well to remember that they once built so high and so rapidly that their structure fell with a crash."

Will the Mail be kind enough to tell us what fell with a crash? Was it our population? or our wealth? our improvements, public or private? our industries? our mercantile establishments? our banks? our cities or towns? our farms?

What was it in Southern California that fell with a crash?

A most searching investigation would fail to disclose a single collapse in Southern California interests. Not a single bank went under; not a mercantile house of any prominence assigned during the reaction from the boom.

That we did have a boom we do not deny, but what was it? It was an immense accession of population; it was a sudden expansion of industries; it was an unprecedented growth of cities and towns and a marked development of farm properties. Accompanying this there was something of a spirit of wild speculation, and, in some instances, an undue expansion of prices. When the boom ceased it was merely a cessation of speculation and a return to correct principles of development, production and industry. The material results of the boom all remained and Southern California is therefore so much the better for them.

The city of Los Angeles went into the boom with about 15,000 inhabitants and came out of it with over 50,000. Under the steady growth which has prevailed since the census was taken the population has undoubtedly increased to 55,000 at the present time.

Los Angeles county went into the boom with about 40,000 people and came out of it with 101,000, after giving over 14,000 to Orange county. During the decade from 1880 to 1890 the combined counties of Los Angeles and Orange increased in population 244.63 per cent.

San Diego county increased 305.98 per cent.

San Bernardino county increased 257.47 percent.

Ventura county increased 98.52 per cent.

Santa Barbara county increased 65.6 per cent.

Remarkable as these figures seem, they were surpassed by the increase of wealth during the same period. The assessment rolls of Los Angeles county for 1880-81 amounted to \$7,259,585; for 1890-91, they were \$49,320,670. Here is an increase of 679 per cent. in the taxable wealth of Los Angeles city.

The total assessment of Los Angeles county in 1880 was \$16,697,591; in 1890 it was \$69,475,025. This shows an increase of 416 per cent. It takes no account of \$9,572,809 set off mean while to Orange county. If that were included it would show an increase of 473 per cent.

Recapitulating briefly, we find that in the period quoted Los Angeles city increased—

In population, 350.64 per cent.
In wealth, 679 per cent.

Los Angeles and Orange counties increased—

In population, 244.63 per cent.

In wealth, 473 per cent.

We have not at hand the data to make like comparisons for other Southern California counties, but they would average favorably with those of Los Angeles and Orange counties.

Now, we would like to ask the Stockton Mail, what evidence it finds in this exhibit that any material interests in Southern California "went down with a crash?"

In population we have trebled; in wealth we have increased fivefold. The wealth per capita is now nearly double what it was ten years ago.

It is a fact that the reaction in wild speculation which occurred three years ago (very much for the good of the country) has been used as a club by zealous people in the upper part of the State with which to belabor us over the head and make it appear that our country is now a total wreck. Nothing could be more false, more narrow-minded or ungenerous. Most of the up-country papers have given up this line of misrepresentation as a bad job. There was a time when they might have pleaded the excuse of ignorance; but that time is past. Nothing fails to ground more quickly or more flatly than wilful misrepresentation, and those Northern California journals which once berated and belittled us with evident unison will find that they are simply wasting their malvolence.

In contradistinction to the slurs of some of the northern papers, note the following from the San Francisco Chronicle, which has taken pains to keep posted on Southern California affairs:

The era of excessive speculation passed away in Los Angeles without leaving a single wreck of consequence. Individuals suffered the penalty imposed upon indiscretion, but no public institutions collapsed, nor did there exist general distress. The explanation of this lies in the fact that currently with the real estate boom in the city of Los Angeles there was a phenomenal development of the magnificent country surrounding the city. An immense number of orange and other fruit orchards were started, and the growth was rapid.

The consequence was that, although the growth of the city was unduly forced, its tributary country soon caught up with it and prevented a collapse, or rather turned what might have proved a serious disaster into a brilliant success.

SENATOR DOLPH OF OREGON IS TAKING AN ACTIVE PART IN PRESSING FAVORITE CANDIDATES FOR THE OFFICE OF UNITED STATES CIRCUIT JUDGE, RECENTLY MADE VACANT BY THE DEATH OF THE PEERLESS AND HONORED LORENZO SAWYER. MR. DOLPH FIRST PERSUADED HIS STATE DELEGATION TO RECOMMEND HIS BROTHER, CYRUS DOLPH, AND IN WHICH RECOMMENDATION SENATOR STANFORD JOINED. FOR SOME FAMILY REASON "BROTHER CY" DECLINED TO STAND FOR THE NOMINATION, AND NOW SENATOR DOLPH BRINGS FORWARD ONE JOSEPH SIMON, WHO STUDIED LAW WITH HIM YEARS AGO, BECAME ONE OF HIS PARTNERS AND POLITICAL FAC-TOTUM AND IS NOW THE LAW PARTNER OF CYRUS DOLPH AND THE SENATOR'S POLITICAL MANAGER IN OREGON.

MR. SIMON IS A HEBREW, BUT THAT IN ITSELF IS NO OBJECTION TO HIM IF IT COULD BE TRUTHFULLY ADDED THAT HE IS AN ISRAELITE IN WHOM THERE IS NO GUILT."

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THE PLACES OF HONOR.

Republican Caucus Selections for Senate Committees.

Northern Stalwarts Cared for and Western Men Remembered.

Alliance Senator Kyle Wanted the Earth, but Got Left.

Other Washington News—A Receiver Ordered for San Diego's Suspended Bank—Proposed Investigation of Pension Commissioner Raum.

By Telegraph to The Times.
WASHINGTON, Dec. 14.—[By the Associated Press.] The Republican Senatorial Caucus Committee, which is charged with the arrangement of Republican representation upon the Senate committees, completed its work this morning and reported to the caucus. The caucus considered the list submitted and adjourned to tomorrow morning without action upon the report.

As nearly as can be gathered from the expressions of many Senators the assignments are generally satisfactory. It was found impracticable to meet all the pretensions of men who had been disappointed in their belief that they would be confined to less than half a dozen Senators. Messrs. Saunders and Powers of Montana wished to be assigned to the committees on Appropriations and Finance, but the committee was unable to comply with the request. There is no vacancy in the Finance Committee, and but one on the Appropriations Committee as at present organized. The Caucus Committee assigned Senator Cullom to the vacancy on the Appropriations Committee, and to meet the request of the Pacific Coast Senators they will be given representation on that important committee by adding one to the membership and assigning Senator Stewart to the new place. Senator Pettigrew is assigned to the chairmanship of the Committee on Quadrocentennial.

The Democratic Senators have been notified that the Republicans have practically completed their committee list.

The World's Fair Appropriation.
WASHINGTON, Dec. 14.—Representative Springer of Illinois, in speaking of the action of the Board of Control of the World's Columbian Exposition in deciding to ask for an appropriation of \$6,000,000 instead of a loan for that amount as at first contemplated, said:

"I do not think there is any good reason to expect Congress to make the appropriation of the amount specified for this Congress will be quite hairy in its expenditures. Congress will, however, I am confident, make a loan to the board of that amount; for, guaranteed as it will be by receipts which will aggregate three times the amount asked, there will be no failure to have it repaid."

Will Not Compromise.
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Pettigrew's Project for a Supplementary Census.
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Hoar, in accordance with his seniority, becomes chairman of the Judiciary Committee, relinquishing his place as chairman of the Committee on Privileges and Elections, to which Mr. Teller succeeds. The three vacancies in the membership of the Judiciary Committee resulting from the retirement of Messrs. Edmunds, Ingalls, and Evans are filled by the assignments of Messrs. Mitchell, Teller and Platt. The places vacated by Messrs. Edmunds and Evans on the Foreign Relations Committee are assigned to Messrs. Hiscock and Davies. Mr. Quay succeeds Mr. Evans as chairman of the Library Committee.

Mr. Stockbridge is assigned to the committees on Naval and Indian Affairs and retains his chairmanship of the Committee on Fisheries. Mr. Wolcott is given a new place on the Interstate Commerce Committee and is retained as chairman of the committees on Civil Service and Retrenchment and as member of the committees on Postoffices and Private Land Claims.

Senator Proctor is assigned to the Military Committee. Senator Dubois, another new Senator, is assigned to membership in the committees on Irrigation, Immigration, Manufactures and Expenditures. His colleague, Senator Shoup, was given the chairmanship of the Committee on Indian Depredations and a place on the Committee on Indian Affairs. Senator Carey of Wyoming is given the chairmanship of the Committee on Education and a place on the Public Buildings Committee.

The list of assignments, submitted to the Republican caucus for approval, showed the following as chairman of the committees named: Aldrich, Rules; Allen, Relations with Canada; Allison, Appropriations; Cameron, Naval Affairs; Davis, Manufactures and Labor; Casey, Railroads; Chandler, Immigration; Culom, Interstate Commerce; Davis, Pensions; Dawes, Indian Affairs; Dixon, Patents; Dolph, Coast Defenses; Frye, Commerce; Hale, Census; Hawley, Military Affairs; Higgins, Manufactures; Hiscock, Organization and Expenditures of the Executive Department; Hoar, Judiciary; Jones of Nevada, Contingent Expenses of the Senate; McMillan, District of Columbia; Manderson, Printing; Mitchell, Claims; Morrill, Finance; Paddock, Agriculture and Forestry; Pettigrew, Quadrocentennial; Platt, Territories; Plumb, Public Land; Power, to examine branches of the civil service; Quay, Library; Sanders, Public Health; Sherman, Postroads; Shoup, Indian Affairs; Stewart, Mines and Mining; Stockbridge, Transportation; Warren, Irrigation; Washburn, Improvement of the Mississippi River; Wilson, Revision of the Laws; Wolcott, Civil Service and Retrenchment.

In addition to the committees named in the above list the Western Senators have the following assignments: Allen, Relations with Canada; Woman Suffrage; Carey, Pacific Railroads; Patents; Dolph, Commerce, Relations with Canada; University of the United States; Mitchell, Transportation Routes to the Seaboard, Nicaragua Canal; Powers, Interstate Commerce; Shoup, Indian Affairs; Stewart, Claims, Nicaragua Canal; Warren, Engrossed Bills; Woman's Suffrage; Wilson, Quadrocentennial, Organization and Expenditure of the Executive Departments.

The majority membership of some of the important committees are as follows:

Finance: Merrill, Aldrich, Allison, Hiscock, Jones of Nevada, Sherman.

Rules: Aldrich, Manderson and Sherman.

Appropriations: Allison, Cullom, Davis, Hale, Plumb and Stewart.

Commerce and Labor: Carey, Hansbrough, McMillan and Washburn.

Railroads: Casey, Hawley, Peffer, Pettigrew, Power and Stockbridge.

Immigration: Chandler, Dubois, Hale, Proctor and Squire.

Interstate Commerce: Cullom, Chandler, Higgins, Hiscock, Wilson and Wolcott.

Pensions: Davis, Hansbrough and Shoup.

Indian Affairs: Dawes, Manderson, Pettigrew and Stockbridge.

Judiciary: Hoar, Mitchell, Platt, Teller and Wilson.

Agriculture and Forestry: Paddock, Casey, Felton, McMillan and Warren.

Territories: Platt, Carey, Davis, Hawley, Shoup and Stewart.

Public Land: Shoup, Allen, Dolph, Craddock, Pettigrew and Shedd.

Postroads and Postroads: Sawyer, Dixon, McMillan, Mitchell and Washburn.

Foreign Relations: Sherman, Davis, Dolph, Frye and Hiscock.

Indian Depredations: Shoup, Allen, Chandler and Paddock.

Charges Against Maj. Overman.
WASHINGTON, Dec. 14.—The Acting Judge Advocate-General has formulated a series of charges against Maj. Overman, based on the evidence of persons who accused him of official misconduct while on duty in Cleveland. Unless this is satisfactorily explained he will be court-martialed.

Wants Raum Investigated.
WASHINGTON, Dec. 14.—Representative Enloe of Tennessee is determined to offer a resolution looking to the further investigation of Commissioner Raum's administration of the Pension Bureau and seek the appointment of a committee of inquiry.

Culberson Would Accept.
WASHINGTON, Dec. 14.—Representative Culberson said today if he is nominated for Interstate Commerce Commissioner he will accept the position, but further declined to speak.

No Compromise at Crested Butte.
DENVER (Colo.) Dec. 14.—Up to noon today everything was quiet at the Crested Butte mines. The sheriff's posse still had possession of the mines and will allow no one within 100 yards of the works. The citizens met a committee of the mine owners this afternoon, and are making an attempt to arbitrate the difficulties.

Crested Butte (Colo.) Dec. 14.

The attempt to compromise the differences between miners and operators failed, and the situation is still serious.

Indicted for Libeling Quay.

PITTSBURGH, Dec. 14.—The grand jury today returned true bills in the Quay libel suits against the Post Publishing Company and its editor and proprietor.

THE SENATE'S SESSION.

Several Important New Measures Introduced.

Felton's Plan for Making the Chinese Exclusion Act Exclude.

Dolph's Scheme for Government Aid for Irrigation Works.

Peffer's Project for a Supplementary Census—Gallinger's Proposal to Dismiss from the Public Service All Persons Not Citizens.

By Telegraph to The Times.

WASHINGTON, Dec. 14.—[By the Associated Press.] Senator Felton of California introduced a bill today amending the Chinese Exclusion Act so as to require Chinese removed from the United States to be sent to China instead of the country whence they came. It is provided further that the burden of proof shall be on any Chinese laborer or person who shall claim the right to remain in the United States.

He also introduced a bill, amending the ocean mail subsidy act of the last Congress, by providing that steamers of gross registered tonnage of not less than 3000 tons of construction material and speed of the second class (16 knots) may be employed for a period of not more than five years and receive the compensation of that class. It further amends the act by the addition of a prohibition of pooling freight or passenger rates.

Senator Felton also introduced a bill appropriating \$8,000,000 for the erection of a public building at San Francisco on a site which may be acquired under the action of the last Congress.

An IRIGATION MEASURE.

Senator Dolph introduced a bill to aid the several States and Territories to reclaim arid lands within their boundaries. It provides for the loaning by the United States of funds to States and Territories for the purpose of assisting in constructing reservoirs, wells and all other works to be used for the development, conservation and furnishing of a water supply for irrigation in aid of agriculture. The loans are to be made in any sum not exceeding \$2,500,000 in any one year to a single State or Territory, "not exceeding a grand total of \$10,000,000 to any one Territory." The terms provide for the issue by the State or Territory of irrigation bonds of denominations of \$500 each, redeemable in five years and maturing in fifty years, and bearing interest at 1 per cent. per annum, to be deposited with the United States Treasurer, and the Secretary of the Treasury is to issue thereon United States notes in the amount of the par value of the bonds, said notes to be legal tender.

PEPPER POPS UP.

Mr. Peffer introduced by request of the Wage-worker's Political Alliance of the District of Columbia a bill providing for taking a special supplementary census of each city for the purpose of asking each household, firm, association and corporation questions relative to their property, debts, etc., their answers to be published as quickly as possible in order that people may know how to legislate on the money question.

Mr. Peffer also introduced by request a bill providing for the issue biennially of a military register of the United States, showing the names, addresses, number of pension certificates, etc., of all surviving persons who have been, are now, or may hereafter be employed in the military service of the country.

AGAINST ALIENS.

Senator Gallinger today introduced a bill for the better protection of the public service and providing for the dismissal from the public service of all persons not citizens of the United States by nativity or by having fully completed naturalization by due process of law.

FIFTY-SECOND CONGRESS, FIRST SESSION.

WASHINGTON, Dec. 14.—By the Associated Press.] Senate—A number of bills were introduced, and during a short executive session the recess appointments sent in by the President were referred to the proper committees.

Among the departmental and other communications presented and referred was the report of the Government directors of the Union Pacific Railroad Company.

Mr. Dolph offered a resolution calling on the Interior Department for a report as to whether the provisions of the last River and Harbor Bill to prevent the unlawful obstruction of navigable waters of the United States has been enforced, and if not why not.

Agreed to.

Adjourned.

A LOVER'S VENGEANCE.

Latest Theory About the Recent Shocking Tragedy in Florida.

JACKSONVILLE (Fla.) Dec. 14.—[By the Associated Press.] The details of the tragedy near New Smyrna are coming in slowly. Irwin Jenkins, a negro, who was first to discover the crime, has been arrested, but no one thinks he is guilty. Mr. Packard has suspicions about somebody, but refuses to disclose them until the proper time arrives. There are rumors of a dislodged lover who had sworn vengeance and that robbery was not the object of the crime, and that it was rape and murder. The murder of Mrs. Hatch and the two children was undoubtedly to destroy evidence of the assault upon and killing of Miss Bruce. Two hundred armed men are scouring the country.

Investigation into the New Smyrna tragedy continues. It is now certain that Miss Bruce had a terrible struggle with her assailant. The floor and bed rooms in the cottage were covered with blood. It was on the curtains and the walls were blood-spattered thickly. When the clearing up of the rooms began blood was carried out in diapers. The conviction is growing that the murderers were committed by somebody belonging to this neighborhood, or at least familiar with the premises and surrounding country.

Investigation into the New Smyrna

Tragedy.

DR. PRICE'S Cream Baking Powder.

Used in Millions of Homes—40 Years the Standard

DAILY EXCURSIONS

TO THE HOTEL DEL

CORONADO!

Over the Surf Line.

\$24.50 PAYAS FOR A ROUND TRIP TICKET, INCLUDING NICE TURNED ROOM FOR ONE PERSON, BREAKFAST AND AFTER THAT TIME AT THE RATE OF \$3 PER DAY; THAT THE WORLD-REKNOWNED SEASIDE RESORT.

HOTEL DEL CORONADO,

WHERE THE AMOUNT OF PERSONAL COMFORT AND ENJOYMENT SUPPLIED BY THE MANAGEMENT, THE WELL-PROVIDED TABLES AND EXQUISITE SERVICE IS EQUALLED TO NO OTHER HOTEL IN CALIFORNIA, IF IN THE WORLD.

THE SPORTSMAN'S PARADISE.

BUSINESS, GAMBLING, YACHTING, RIDING OR DRIVING. BATHING IN GREAT VARIETY WITH HOT OR COLD WATER. INCLUDING SAUNA AND EXCELLENT SURF BATHING.

ROUND TRIP TICKETS

FROM LOS ANGELES, embrasing railroad, street car, ferry and motor line charges, for sale at Santa Fe Ticket Office, 129 North Spring, or at First Street Depot. For further particulars apply to

T. D. YEOMANS, AGENT,

125 S. SPRING ST., LOS ANGELES.

HOTEL NADEAU.

strictly first-class; everything modern.

Fire escapes, electric call bells, elevators, etc. 50 elegant rooms, suites with bath, rates \$10 to \$15 day upward.

COR. SPRING AND FIRST, LOS ANGELES.

PACIFIC SANITARIUM

Hope & Pico sts., Los Angeles, Cal.

Sunny rooms, sanitary plumbing, home cooking, trained nurses, baths, galvanism, Paraffin and massage; aseptic operating room, etc. Patients are carefully and personally looked after them and be assured of courteous treatment. Electric and cable lines only. Terms moderate. For particulars apply to DR. J. F. COWLEY, No. 111 West block, Hope and Pico sts., Los Angeles, Cal.

BRIDGE WORK A SPECIALTY.

GOLD OR PORCELAIN CROWNS, ETC.

SETS OF TEETH, UPPER AND LOWER.

TEETH FILLED WITH GOLD, SILVER AND UP.

TEETH FILLED WITH SILVER, ETC.

TEETH EXTRACTED WITHOUT PAIN BY USE OF GAS.

ALL WORK WARRANTED.

DR. C. H. PARKER,

COR. BROADWAY AND THIRD STS.

(Entrance on Broadway.)

AUCTION!

FURNITURE AND CARPETS.

MATLOCK & REED,

AUCTIONEERS.

At Salesroom, 246 S. Spring St., Wednesday, Dec. 16, 10 a.m.

Comprising 3 elegant Walnut Bed-room Suites, marble top; 3 fine Oak Suites, with French Plate Mirrors; 4 antique Oak Suites, dining-room and parlor furniture; Bed Lounges; Divans; Settees; Rockers, etc.

Also about four hundred yards Brussels Tapestry; Ingrain Carpets (mats and second-hand).

This is an important sale, as consignors must have money.

MATLOCK & REED, Auctioneers.

CHRISTMAS PRESENTS

TRADE

IN SOCIAL SPHERES.

This news intended for this department should be furnished promptly and sent addressed "The Times—Society News," accompanied by the name of the sender as a guarantee. Write briefly and concisely giving the facts without needless verbiage.

M'ALLISTER'S DOWNFALL.

The rumor comes from the Eastern seabord that the great and only Ward McAllister, for years the bright star in the social firmament of New York, is about to be dethrown and a younger man is to lead Gotham's "Four Hundred." The author of "Society as I Have Found It" has been such an absolute social autocrat for years that his fall will cause amazement on both sides of the Atlantic and across the length and breadth of the continent. His book created widespread dissatisfaction and opened the door for much adverse criticism, and he perhaps would have fared better if he had not sought to enter the realm of literature in addition to his social burdens. It is well to stick to one's specialty. It is said, however, that he will meet his fate as becomes a monarch and his next contribution to the world of literature will be a book on "Society as I Left It." Harry Le Grand Cannon is to be his successor and of him the social correspondent of a New York society journal dilates thus:

"Harry Cannon was born with a silver spoon in his mouth and at the age of 21 has not lost the cherubic smile and manners of his infancy. Loving society with a pure, unadulterated passion for society's sake alone, he has passed the best years of his life in the society of the rich and famous, never treading on delicate toes and invariably draining the last drop of pleasure from the cup. He is a capital organizer. He has artistic talents of no mean pretensions, all his hours are those of leisure and his tastes are based on a proper judgment of time and enjoyment. He has all the virtues of McAllister with none of his faults. He is quite as imaginative and creative without all being inclined to literature. He is more amiable, more witty, more original, less exacting, more narrative, less gossipy. When the change comes, as come it must, an amiable, sincere and pleasant voice will bring peace out of the battle, and the man to do it is Harry Le Grand Cannon, leader of the "Four Hundred" who will be no longer Ward McAllister's "Four Hundred," but will be Le Grand Cannon's "Four Hundred," and mark my word for it, that this winter is McAllister's last as the leader of New York's society, if he lasts that long."

A SUCCESSFUL BUSINESS WOMAN.

Mrs. H. L. Strong of Whittier, accompanied by her daughter, Miss Mamie, has gone East to work up the pampas plume trade in her own interests. She is now in New York and has visited Chicago and Kansas City and has already disposed of the 300,000 pampas plumes raised by her this year at her Whittier ranch.

GEORGE KENNAN A VICTIM OF INSOMNIA.

Those who listened a few weeks ago to the brilliant lecture of George Kennan given in this city will regret to know that the famous explorer has become a victim of nervous prostration, his voice, upon whom system being completely shattered. For months he has been working fifteen hours a day, writing, lecturing and traveling. This heavy drain on his energy has resulted disastrously and insomnia has secured a hold on him which he cannot shake off.

It is evident that the Russian government realizes fully the danger arising from the publicity given to its horrible exile system in the fact that it has refused to allow an American missionary in northern China to pass through western Siberia on his way back to the United States. This looks as if Americans henceforth would not be permitted to go through that country on any pretext.

A NOTABLE TOUR.

Mr. and Mrs. Charles Arthur Carlisle of South Bend, Ind., who are stopping temporarily at the Nadeau, are about to conclude a notable tour, which followed a wedding of such magnificence as to create a furor in Eastern society circles.

The wedding, which has been briefly alluded to in this paper, occurred last September at Tippecanoe place, the palatial home of Hon. Clem Studebaker at South Bend, and the bride was Anne, the only daughter of the millionaire manufacturer. The groom, Mr. Carlisle, was the purchasing agent of the Briske system of railroads, and well known as a bright young business man. Immediately after the wedding Mr. and Mrs. Carlisle went east by way of the St. Lawrence River and the White Mountains to New York, Philadelphia and Washington; thence by way of Cincinnati to Florida and New Orleans whence they went to Mexico. After visiting various cities in that republic they came by way of El Paso to Los Angeles and will hence to San Francisco, Salt Lake and homeward. Throughout all this journeying they made frequent visits to friends of both families, and the Studebaker acquaintanceship being not only national but international, those they met, with many especial courtesies in Mexico. At the hotel yesterday and last evening they received a number of their Los Angeles friends. Tomorrow they will pay a brief visit to Coronado and then resume their journey to their Eastern home.

NOTES AND PERSONALS.

The net receipts from "The Mistletoe Bouquet" were not far from \$700.

Mrs. Louise Woodworth Foss is still confined to her bed from a severe attack of la grippe.

Mrs. George Mason of Grand avenue, who has been East on an extended visit, is expected to arrive home tomorrow.

The many friends of Mrs. Brainerd Smith will rejoice to know that she is rallying from her threatened attack of pneumonia.

Eureka Circle of the C.L.S.C. will give a free literary and musical entertainment this evening at Vincent Methodist Church.

Mrs. Judge Beecher, a prominent society lady of Adrian, Mich., arrived yesterday and is at present a guest of Mrs. Will D. Gould.

The air begins to thicken with rumors of Christmas festivities in the shape of concerts, cantatas, Christmas trees, bazaars, fair sales and weddings.

Mrs. J. D. Bicknell is expected to return tomorrow from Oakland, accompanied by her two daughters, Misses Mary and Edna, who will spend their holiday vacation at home.

Mrs. and Mrs. A. S. Robbins have issued invitations for a reception next Friday evening at their beautiful new home, No. 923 South Pearl street, given in honor of Charles S. Jardine of New York.

The Y.M.C.A.'s will have one of their lively and interesting debates next Friday night, participated in by several bright young lawyers, who will decide the question whether Blaine or Gladstone is the greater statesman.

A exchange contains the following sensible hint in regard to Christmas presents: "Give gracefully, graciously, intelligently and honestly, and do not give duty gifts. The highest value of a Christmas gift lies in the testimony it affords of the affection that prompts it."

The Los Angeles Business College Literary Society will give an entertainment at the College Hall, No. 144 South Main street, Friday evening.

Don't Let That Arch Thief and Cunning Old Rascal,

"PROCRASTINATION"

Who is the Thief of Time,

Rob You of Your Opportunity to Get Handsome Toys Free of Charge with Your Shoes

Our Great Gift Sale

Is being conducted on an absolutely fair system. No favoritism is shown or allowed. First come, first served, and handsome presents to all purchasers.

You will only have yourself to blame if you don't get a handsome present with your shoes.

We are giving away this week the finest kind of Toys and Christmas Gifts and you will save many a dollar by calling on us this week.

Country orders receive prompt attention. Presents with every purchase.

AT LEWIS.'

"The lives of rich men all remind us
That we can make our own sublime,
And by liberal advertising—
To the dizzy heights of fame can climb."

THAT'S the reason we are consuming a half a page of this valuable paper to inform you that if you don't come to us at once, you are in great danger of getting left.

Don't Delay a Moment.

SHOES

Were never as cheap as they are now. LEWIS is the acknowledged leader of low prices. No other house has ever dared to inaugurate or carry out so gigantic an advertising proposition as this great Gift Sale carried.

Take advantage of it

... NOW

LEWIS,
Originator of Low Prices, 201 N. SPRING.

Store is open until 8 o'clock p.m.
Saturday, 10 p.m.

The hall will be elaborately decorated by the young ladies of the college and an excellent programme rendered, after which there will be a social.

The Ideal Guitar and Banjo Club gave a concert at Ponson last evening, and tonight will appear at Ontario. Tom Barnes, the favorite elocutionist, accompanied them on the tour.

LOS ANGELES SCIENTISTS.

Meeting of the Local Science Association Last Evening.

A company of ladies and gentlemen interested in science met last evening at Caledonia Hall to complete the organization of a society to be known as the Southern California Science Association.

Its object is to promote all branches of science and it has a membership of thirty-two already, including some of the most learned scientists in the city. Dr. M. H. Alter is president of the association; Dr. Dawson and Prof. Coquillet, vice-presidents; Mrs. Mary E. Hart, secretary, and Wm. Lundberg, treasurer.

The society meets on the second Monday evening of each month.

Last evening the president read a paper outlining the objects and aims of the association, suggesting that all political, commercial and sectarian discussions be eliminated and the subjects of astronomy, botany, chemistry, entomology, geography, meteorology, microscopy, biology, ornithology, physiology, archaeology, zoology and all the other "oldies" receive attention. He advocated the establishment of a department of technology under the auspices of the society and thought it was time to begin to educate the rising generation in somewhat different channels than the "learned" professions, as there are now in this city one physician for every 194 inhabitants (more than at any other place in the civilized world and in the healthiest climate on the globe, too) one lawyer for every 126 possible clients and the ministers and editors are plenty enough to convert the city and gather in all the news.

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A RUDE AWAKENING.

Love's Young Dream Disturbed by an Irate Papa.

A Rather Sensational Episode Reported From Burbank—The Law Appeals to Break Off a Match.

Love's young dream was rudely awakened at Burbank last Sunday, and two young hearts are weeping bitter tears, or words to that effect, and all because the harsh father of pretty little Lillie Thompson will not consent to the union of Lillie and Benny Ludlow, who has grown up with his parents next to the Thompson mansion, and has watched the fair flower of the valley grow into budding womanhood.

They have been boy and girl lovers as far back as they can remember, and never dreamed until recently that Papa Thompson would not give a willing consent to their marriage, and when Lillie reached the age of 17 the old man was carefully approached, but he flew into a rage and declared that his daughter could not marry until she was of age.

Not only did he insist that Benny leave the country until that time, and he would listen to nothing else, so the young man picked up his traps and started for Tular Cañon on the 30th of last November. He remained there a week when he returned to see his parents, one Sunday, and his future father-in-law happened to catch sight of him and a row followed.

Benny was with his mother and sisters on their side of the fence that divided the two places when old man Thompson caught sight of him, and in a savage tone of voice he informed the young man that Lillie was not and would not be visible as long as Benny refused to obey the old man's commands.

Benny replied that he would see Lillie whenever she expressed a desire to see him in spite of all the fathers in the land.

This so enraged the old man that he gathered up an ax and started for Benny, but the woman folks made such a noise and the young man laughed so heartily that the old man ran because he had nothing to do with himself and withdrew from the battlefield, but not until he had informed Benny that if he returned to that section of the country again he would have him arrested. As a parting shot the old man told him he would now have to remain away two years.

Last Sunday Benny again returned from the cañon to visit his family and old man Thompson again got sight of him, when he rushed off to Justice King and swore out a complaint charging the young lover with disturbing the peace.

He was arrested in the afternoon and placed under \$50 bonds.

The young man thinks he has been badly used and came to this city yesterday to consult legal talent. He has not yet made up his mind as to what he will do, but it is expected that if the fair Lillie comes will be called on to exert her influence.

As Benny claims that he done nothing to disturb the old man's peace unless it be falling in love with his daughter and that if the old fellow will insist on raising such pretty daughters he should not blame anyone for losing his heart.

Important If True.

From a private letter from S. J. Mathes, who is now acting as agent for the Phillips Rock Island Excursion Company in Chicago, it is learned that the Leland's of the Leland Hotel in that city have taken hold of the Tenth Street Hotel in this city and will complete it according to the original plan.

Mr. Mathes also states that emigration to California is keeping up nicely.

The Phillips Company sending out special trains weekly comprising from six to eight coaches.

Purely Accidental.

Yesterday morning Coroner Weldon held an inquest on the remains of Robert McNutt, the sixteen-year-old boy who accidentally killed himself near San Gabriel Sunday morning. Wednesday morning, according to the testimony, McNutt and the two Harris boys started from South Pasadena, where they lived, in a wagon on a hunting expedition. They went as far as Compton and on their return camped Saturday night near San Gabriel.

Early Sunday morning young McNutt thought he would go out and kill a rabbit, and in getting his shotgun out of the wagon it exploded, and the full charge entered his left breast.

The jury found that the shooting was purely accidental.

B. SENS & SON,

Merchant Tailors,

Have Removed Their elegant quarters to

No. 205 Broadway

California Bank Building.

BEST OF FITS AND SATISFACTION GUARANTEED.

B. SENS & SON.

332-334 S. SPRING ST.

LIVE STOCK AT AUCTION.

M. E. MAFFEE, AUCTIONEER.

go head of work and driving horses will be offered at auction Wednesday December 9, at 11 a.m. This stock has been consigned to us for sale from all parts of the county. The public will please bear in mind that we are the only drivers and auctioneers in the city.

The motto of "Good stock and square dealing" is our motto. Don't forget our address.

If you have a great many buyers and sellers, we will offer to dispose of your stock. We buy, sell or exchange any kind of stock.

If you wish to feed your team while in the city, drive in and we will help you to unhitch.

SALEYARDS.

162 N. LOS ANGELES ST.

(Near Request.)

W. E. MCNAUL, Prop.

TO THE PUBLIC.—We will hold sales of real estate merchandise and household goods in this and adjoining counties. Address me or call at Natwick House, 110 W. First st., or above mentioned.

M. E. MCNAUL.

LIVE Stock and General Auctioneer.

We have resolved to give the public the benefit of the following low prices until further notice:

1. The Columbian Chart and the Daily Times.....\$2 70

2. The Atlas and the Daily Times.....4 55

3. The Encyclopedia and the Daily Times.....5 00

4. The Sewing Machine and the Daily Times.....26 05

5. "Six Great Books" and the Daily Times.....3 05

6. "Famous Fiction" and the Daily Times.....3 55

7. The Map and the Daily Times.....3 25

8. The Family Physician and the Daily Times.....3 00

9. The Shotgun and the Daily Times.....17 05

10. The Dictionary and the Daily Times.....3 80

11. The Flower Book and the Daily Times.....2 90

SOUTHERN CALIFORNIA.

PASADENA.

Old Churches to be Replaced by New Ones.

Handsome and More Substantial Structures in Order.

How the Wind Blew at Sierra Madre Thursday Night.

First of a Series of Y. M. C. A. Lectures—Opening of Colorado Street—Lewis the Light-Hearted From—Briefs.

[Branch office, No. 50 East Colorado street; where news, advertisements and orders for THE TIMES are received.]

Four churches of the town were damaged by the windstorm, one being razed to the ground, one almost entirely collapsed and the fourth suffering the loss of its steeple. The congregations thus afflicted have lost no time in accepting the situation as it is and making the most of it, and the probabilities are that Pasadena can soon lay claim to three new places of worship; handsomer and more substantial than were the old ones, besides having the fourth structure restored to its former completeness.

The board of trustees of the Methodist Church held a meeting yesterday afternoon. The pastor, Rev. J. W. Phelps, was seen later by the reporter. Rev. Mr. Phelps said: "Nothing definite has been decided upon yet, but we will endeavor to consult an architect with regard to the advisability and cost of putting a temporary roof over the structure. What we want to do and what we will do is to build a \$50,000 church, which will be a tradition in itself and our plan will be to wait, rather than build a cheaper house of worship at present. The debt remaining on the tabernacle will first be paid off and then we will set about in earnest to raise money for a new church." Meanwhile, however, the present structure will be patched up for the use of the Sunday-school and various societies connected with the church."

A prominent member of the North Congregational Church says yesterday that a new edifice will be erected sometime soon on the site of the old one on North Raymond avenue. The church has first to pay off an obligation of \$700 on the old building, but the members are workers and in earnest in the work and can be accounted to submit in the undertaking.

The Christian Church has already appointed a building committee to take steps looking toward the erection of a new place of worship. The ladies of the church have pledged themselves to help out of their pockets to the building committee, and it is of exactly the right kind of people to carry the new project to successful completion, and the work will be well done.

The trustees of the Presbyterian Church have decided to have the steeple rebuilt without unnecessary delay, and as soon as satisfactory plans can be prepared the work will begin.

THE STORM AT SIERRA MADRE.

In conversation yesterday with J. H. Outhwaite the reporter was lead to believe that Friday's windstorm centered about Sierra Madre, and that the gale blew strongest in that vicinity. Mr. Outhwaite was at his home in the hills all night. He saw, upon looking out from his residence, a short distance northwest of Sierra Madre, that the sky was pitch black.

The wind increased, and he and the members of his family donned heavy clothes and sat up in the center of a small room on the ground floor, with the lights and fires extinguished, awaiting the coming of almost any sort of a calamity. A near-by fire spent almost the entire night in the cellar, while the people went to the favorite pastime of the house for many people in the vicinity. The hurricane raged fiercely all night, damaging the orchards, trees and shrubbery to an unusual extent.

MENDING THE DAMAGE.

Inspector C. H. Richardson, whose trees probably held the largest crop of oranges in town, had to stand by his stockade so far as possible. Such limbs as were broken but not completely snapped off Mr. Richardson has propped up in the belief that the end of the branch will receive enough sap to keep it alive. The broken piece he covers over with paper. It is possible that much of the fruit may have been lost. Mr. Richardson's observations prove that the fruit on the west side of town suffered much less damage than that on the east side. B. Tallmadge's fine orchard and those adjoining were comparatively little injured.

Y.M.C.A. TREAT TO A FREE LECTURE.

Timothy B. Hussey and wife will deliver a lecture in the Baptist Church this evening at 7:30 o'clock. Subject: "An Evening With the Pyramids, or Six Months in the Holy Land." The lecture will be illustrated with costumes and curios of Eastern life and customs.

The lecture will be free and is given under the auspices of the Young Men's Christian Association, being the first in a series of lectures and entertainments to be given by the association during the winter. A cordial invitation is extended everybody to attend.

LEWIS THE LIGHT HEARD FROM.

"Lewis the Light," Los Angeles' most popular comic actor, is to appear at Pasadena explaining the cause of his absence. He says it was simply a token of God's wrath. "Diplodated Pasadena," he writes, "think you that the Almighty God, the prince of the power of the air, is going to be called 'the devil' and scoffed at by the scoundrels and let you go free of trouble for participating in the same vein. If there is any Pasadena who has been guilty of such sacrilege as is hinted at above let him show himself and make atonement."

THE TIME TO SET IT RIGHT.

The suggestion has been heard more than once in case the Methodist Church is to get back a few feet further from Colorado street so as to allow the width of the street to the standard width. As it is now the pavement about the church projects several yards beyond the official curb line, and the material rests thereon. Now is the time to set the matter right, a fact which the people of the church doubtless appreciate, and they may be counted upon to act accordingly.

BREVITIES.

The hotels are doing a rushing business. The expected rain did not materialize yesterday.

The large windows are radiant with holiday gossips.

A meeting of the Masonic Lodge was held last night.

Yesterday's overland was reported to be nine hours late.

What has become of the North Pasadena Reading Circle?

Miss June Reed is about again after a protracted illness.

A number of new arrivals registered at the Raymond yesterday.

The winter weather was up from his Anza ranch yesterday.

The navel oranges suffered less from the wind than did the seedlings.

J. H. Outhwaite leaves this morning for San Francisco on a week's trip.

Mr. Ruth Martin has been confined to her bed for several days past.

Raymond continues to enjoy the reputation of one of the most progressive and scientific boxes in the Athletic Club.

Miss Balkham of Omaha, who visited in Pasadena two years ago, is in town. She expects to spend the winter here.

Additional copies of last Saturday's

TIMES containing the account of the storm may be purchased today at the branch office, No. 50 East Colorado street.

F. Martin Summers has been put up with the greatest of pleasure. He was able to be off yesterday for the first time.

Work on the tunnel at Devil's Gate is progressing steadily, but the additional water supply has not yet been developed.

Tickets for Thursday night's concert are on sale at Foster's and Sonnenfels', or they may be purchased at the hotel.

The local ones are pleasantly anticipating the San Gabriel Social Club's hop at the Hotel San Gabriel on December 23.

The postponed supper and social will be given this evening at Thomas' Hall by the ladies of the North Pasadena Methodist Church.

Major Lakeson was unfortunate in one of the noble pepper trees in front of his handsome residence on North Moline avenue.

A Chicagoan, who is in Pasadena with his family for the winter, has almost pursued a dozen other Chicago families to come and do likewise.

Holiday Concerts taking life early at present at the home here after plenty of hard work and little to eat at a mine in San Bernardino county.

Some of the athletic club sprinters may be found any afternoon practicing on the new track. Look out for some exciting races at the opening next week.

A business meeting of the Woman's Industrial Association will be held in the Baptist Church tomorrow afternoon at 2:30 o'clock. All who are interested in the work are invited to attend.

The Choral Society was well represented at the rehearsal at the Presbyterian Church. The music was rapidly perfecting themselves in the difficult music which will be rendered at the concert on Thursday night.

The ladies of the North Congregational Church have decided to hold their social in some half down-town on Friday night. Lunch will be served at noon. The place has not fully been determined upon yet.

Rev. R. M. Webster of Long Beach preached on Sunday in the Universalist Church. In the morning he delivered a strong sermon on "The Law Cannot Be Broken," which was helpful and instructive to all.

John Hartwell and Al Carr returned to Camp Wilson yesterday. They report the Dewdrop Inn at the foot of the new trail blown completely to smash by the wind-storm. The roof was carried down the face of a distance of several hundred feet.

George R. Shatto, who succeeds Mr. Dexter, is a large property holder, and while he has taken no prominent part in politics in a public way has always kept himself well posted and stands well with his party associates.

A PLEASANT RECEPTION.

A pleasant reception was given at the parlors of the Arlington Hotel yesterday afternoon to the Rt. Rev. W. F. Nichols, auxiliary bishop of California. The guests were entertained from 3 to 6 o'clock in a very enjoyable manner.

The steamer Pomona leaves for the north tonight.

A marriage license was issued yesterday to E. E. Penfield and Alice E. Vincent, both of this city.

Rev. Mr. Jenkins, of the Christian Church, has resigned his pastorate on account of ill health.

The junior class of the High school will give an entertainment at the High school building Friday evening.

The action against John Pettinger, charged with perjury, was dismissed in Judge Wheaton's court yesterday. The prosecution failed to establish the venue. The number of camps in town is on the increase. Others arrived from San Luis Obispo night who had taken possession of an occupied house in the lower part of town. They were ordered to leave the city.

The case of H. R. Muller vs. W. H. Crocker and C. E. Sperry is set for today before Judge Cope in the Superior Court. The plaintiff asks \$495.74 for labor and \$15 for attorney's fees, and for costs of suit.

PERSONALS.

Judge W. B. Cope was in Ventura yesterday holding court for Judge Williams.... Mrs. A. N. Nichols of Fairmount is at the San Marcos.... Emma Ogram left for Panama, Neb., by the Santa Fe yesterday.... Rev. Alexander Grant went to Los Angeles yesterday for the day or two.... Rev. G. W. C. Eddington, of the First Methodist Church, son of Rev. Alexander Grant, of the Baptist Church, also spoke.

The musical programme consisted of an anthem by the choir, a solo by Mrs. G. F. Wright, and a solo by Prof. P. C. Courtney.

The meeting was very enthusiastic and a large number joined the association.

POMONA.

Additional Attractions at the Art Loan Exhibition.

A Rare Collection of Old Books—The Baptist Church Concert-Shipments of Olive Trees—News Notes.

[Branch office at Armour's Pharmacy, Second street, where news, advertisements and orders for THE TIMES are received.]

The Larion class of the High school will give an entertainment at the High school building Friday evening.

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The meeting was very enthusiastic and a large number joined the association.

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LOS ANGELES TIMES; TUESDAY, DECEMBER 17, 1891.

LETTERS TO THE TIMES.

Mr. Crank Should Not Promote Unrighteousness.

LOS ANGELES, Dec. 14.—[To the Editor of THE TIMES.] Glad to see that someone has begun a complaint against the cable cars. Of course it is uncomfortable to sit with the wind whistling through your bones. There should be a warm corner at least for those who do not enjoy Zephyrus and his "high winds" such as you complain of. Another cause for complaint? Would it seriously inconvenience those young men employed by the cable company to collect fares if they would look up and down the streets when passing customers? To lose a few cents in fares is not a train, and to lose a train may involve serious loss and trouble. If you are a woman you can't vociferate and you can't swear when you get left. I heartily laud the other day she had to give up being a Christian. She was on account of the cable cars shooting by the corners.

ANOTHER SUFFERER.

The Late Windstorm.

OLIVEWOOD FARM, near Claremont (Cal.), Dec. 13.—[To the Editor of THE TIMES.] We read in the Express of the 12th that the late windstorm "came off the Mojave Desert through the Verdugo Canion etc." This like the rest of the wisdom of the times, is all well and good. The Verdugo Canion has plenty of wind, I admit, but it had little or nothing to do with conducting what wind into the city. These winds are *sud easterlies*. The usual paths of east winds do not follow the 12th. The 12th followed the blow occurred in December, 1887. They are not "Santa Anas," and are peculiar in the fact that they come straight over the mountains. This storm, unlike its predecessor a year ago, spent its greatest force on its western side, and Pasadena got the full dose that Ontario and Cucamonga had to stand in 1887. These electric storms do not, thank God, occur frequently. It is the 1887 and that just past, cover, this same period ten years. In this part of the country, when the late storm settled down to blustery, exactly the same thing happened as in '87: The wind settled into W.N.E. and held to about the point for several hours. What did shift in the early morning it went round to S.E. and then broke up. Speaking for this east side of the San Gabriel River, the Verdugo Canion had no more influence in directing that storm than my old.

AS OLD SIGNAL SERVICE OFFICER.

The Flower Festival Home.

LOS ANGELES, Dec. 13.—[To the Editor of THE TIMES.] In your issue of Saturday is an article entitled "Flower Festival Reception," which does injustice to the young ladies who are boarding at that institution, and at the earnest solicitation of one of them I take the liberty of answering.

The young ladies who have come to convey the idea that the young lady boarders are mendicants, and goes on to say: "The young girls will look back in after years to thank the good ladies who have so graciously extended a helping hand to them in their early struggles etc." These young ladies naturally resent this; they have parents to look after them, and they think they pay a fair price for all they get, the rate being \$10 per week for those who "don't turn up in a room" and \$3 per week for those in a single room. This is about the average price for accommodations of the kind they get. The rooms are not "handsomely furnished"; the fair is not "very elaborate"; the young girls understand that they "pay in proportion to the ability" as all pay the same price, except one young lady, who goes home every Friday and returns on Monday. She pays \$2 per week.

There are about twenty young ladies, more than half of them are school girls, whose parents live in neighboring towns, who send their children to board at the Flower Festival Home more because they think they will be safer than on account of the young ladies.

G. A. C.

Concerning the Toothsome Oyster in His Lair.

LOS ANGELES, Dec. 14.—[To the Editor of THE TIMES.] You have announced that I would bring the most delicious oysters to Southern California in abundance, and at prices which would enable all classes to eat them freely. The latter was in chief my object in undertaking a laborious business and make large sales at small profits. The large number of oysters which I employ 100 steamboats and luggers in this trade was ready to ship me any amount at low figures, and made, as they understood, an agreement with Wells-Fargo to ship at net weight, 100 pounds per 1000, excluding the packages and the ice.

The young ladies object most seriously at being classed as "girls who, by worldly misfortune or accident of birth, are thrown upon their own resources." They pay for what they get, and desire it very much to be placed in this undesirable position. They all feel indignant at the false light they are placed in, but lay no blame on THE TIMES.

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THE PUBLIC FUNDS.

The City is Entitled to Its Interest.

Judge Shaw's Decision in the Suit Against the City Bank.

The Bank Occupied the Position of Trustee for the City.

While the Contract Was Illegal, the City Is Entitled to the Profits from the Use of Its Own Funds.

Judge Shaw on Saturday announced that he had decided the case of the city against the City Bank, a suit to recover interest on the public funds deposited with that bank under a contract made by order of the Council, in favor of the plaintiff, with judgment in the sum of \$9721.54, the full amount claimed, and costs.

The history of the case is generally known. After a long contest the money was finally turned over to the City Bank which enjoyed the use of the money for almost a year. In the meantime, the case had been appealed to the Supreme Court, which held that the city had no right to loan the funds, and that the contract with the City Bank was illegal, and therefore, null and void. On this decision the City Bank returned the money to the City Treasurer, less the accrued interest, which it claimed the city had no right to demand, and refused to pay the same, although its books showed an indebtedness to the city to the amount of \$9721.54 on account of interest. The city then brought suit against the bank to recover this amount, with the result above stated.

Judge Shaw has filed a written decision in the case, and in view of the general interest felt in this suit it is given in full, as follows:

THE DECISION.
The City of Los Angeles, Plaintiff, vs. the City Bank, Defendant.
The complaint states two causes of action: that the bank received and received the other upon an account stated.

The evidence shows that from the 14th of May, 1890, to the 10th of February, 1891, the defendant at divers times received from the City Treasurer large sums of money, which were either checks or drafts drawn by the treasurer upon this account from time to time, which were paid by the bank, but that there was at all times a large balance of the money in the hands of the bank; that it loaned this money to other persons at rates varying from 1% to 10 per cent, per annum, and received interest thereon amounting to more than \$9721.54, the sum stated in the complaint.

An ordinary pass book was kept in which the bank entered the money received from the City Treasurer and the amounts received. In this book was also entered to the credit of the city by the bank certain items "Interest - per cent contract" amounting to \$7695.42. These amounts were the amounts of interest that were accrued monthly on the balance of the account at the rate of 1% per cent per month. This book was balanced several times and the balance carried forward. The last time this occurred was December 31, 1890, and the balance then standing was \$9721.54. Credits were entered and checks paid after that time, but no other balance was struck. On February 10, 1891, the defendant paid to the City Treasurer the sum of \$103.66.22. Adding the items and deducting debits from credits, the fact that defendant had paid only a portion of the balance, December 31, the deficit being \$7695.42, which is the exact amount of interest theretofore credited in the account. The sum paid was the exact balance of the money received by the bank, including interest. This money was received and deposited, kept in pursuance of a contract attempted to be made between the parties whereby it was agreed that the city should keep its money in the bank, and the bank should pay the interest monthly for the use of it at the rate of 1% per cent per month upon the daily balance. This tract was declared illegal and void by the Supreme Court in the case of Yarnell vs. the city, 87 Cal., 603.

The court's theory is that the balance of the account in 1890 constituted an account stated, the balance cannot now be imputed into, and also that the defendant actually received the sum of \$9721.54 as interest on money in its custody, and the legal interest, therefore, being the only item of interest charged in pursuance of it, and as to the interest received there is no liability on the contract because it is illegal, and that the bank is not liable for interest on money received in its pass book unless there is a special contract, and if so, it would be illegal, hence there is no liability at all. It is also argued that on general principles of justice the city has suffered no loss by reason of the bank loaning its money, and the court, therefore, because the city itself could not lawfully lend its money nor derive any benefit from the use of it and is in no worse position now without the interest received by the bank than it would have been if the money had been deposited in its vaults.

I have concluded for the better reason and authority is on the side of the plaintiff.

An important question to determine is: "In whom rests the title to the money received by the City Treasurer in his official capacity?" It has in some cases been decided that the title to money received by a public officer such as a sheriff, and not in the county, city or State which he serves and that he stands in the relation of debtor to such city, county or State, and therefore, is not liable for any interest he may receive from persons for the use of said money, it is to be noted, (Perley vs. County of Madera, 10 Am. Rep., 638; Shelton vs. the State, 3d Ind., 334.)

In these cases a distinction is made between a case where the title to the money is in the officer and where it is the municipality. In the latter case it is held that the officer is a bailee and the money is not his, and may be followed into any person's hands to whom it can be traced. And it is well-settled principle of equity that any person who receives a trust property knowing to be so, may be held to account not only for the property itself but for any benefit he may have derived from its use of it.

It must be admitted that under the provisions of our state charter and of our own State constitution and general laws the title to such money is in the city and not in the City Treasurer.

The constitution declares that "the making of print out of county, city, town or other place, or using the same for any purpose not authorized by law by any officer having the possession or control thereof, shall be a felony." (Art. 11, sec. 17.)

In section 424 of the Penal Code it is made a felony for any person charged with the receipt, safe-keeping or the payment of public money to appropriate the same to his own use, or to the use of another, "or to loan the same, or make a profit out of it," or "fail to keep the same in his possession, or to keep the same in any bank" or "to change or convert any portion thereof from coin into currency or from currency into coin" without authority of law.

The charter provides that the City Treasurer shall receive and keep all monies that "shall be paid to him by taxation, or otherwise" and that the Mayor, Auditor of Finance, Comptroller shall have the right at all times to inspect and count all public moneys under the treasurer's control."

These provisions would be meaningless if the title to the money was in the treasurer and he was not required to keep the identical money in his possession. And under

similar provisions it is said in the case of Perley vs. County of Muskegon, above cited, that the title to money of the State of Michigan does not pass to the State Treasurer, but remains in the state.

In the case of Yarnell vs. the City, 87 Cal., 603, in effect, that no city officer, nor the city itself, could lawfully make any one except fully authorized officer of the city a custodian of the money of the city.

The act of the treasurer in transferring this money to the defendant was entirely unauthorized and illegal, and necessarily known to be so by the defendant.

The city, as a legal corporation, was a party to the transaction, and therefore it cannot be said that the city is in *per se* so as to invoke the principle that no recovery can be had by either party where they are guilty in an illegal transaction.

The money cannot be deemed to be a general deposit in the bank and subject to the ordinary rules between a bank and its depositor because any such deposit would be unlawful. Such a relation presupposes a lawful right to make the deposit and a right to withdraw from it. In this case the City Treasurer could not lawfully deposit the money and the bank could not lawfully receive it.

As to the proposition that the bank is not liable for interest because the city could not lawfully receive the money, it is a sufficient answer to say that where one person has unlawfully obtained possession of the money or property of another and used it to his profit, and is called to account for such use, he should not be permitted to say in defense that the other would not or could not have made any profit.

The money was the property of the city. In the hands of the City Treasurer it was a trust fund. The bank knew it to be a trust fund when it received it. It was unlawfully in possession of the bank and was by the bank unlawfully appropriated to its own use, and from such use the bank realized the sum of \$9721.54.

The city, which stands in the position of an *interim custodian*, now seeks to recover the amount thus arising from the use of its own funds, and I think it has a clear right to do so.

I am of the opinion that the facts proved do not show an account stated. The keeping of the account was entirely in pursuance of the illegal contract. If one experiments with a illegal and incapable of enforcement, any other express contract must be equally so.

Findings and judgment will be drawn in favor of the plaintiff for \$9721.54 and costs.

SHAW, Judge.

When Baby was sick, we gave her Castoria.

When she was a child, she cried for Castoria.

When she became Miss, she clung to Castoria.

When she had Children, she gave them Castoria.

SHILOH'S CATARRH REMEDY—A positive cure for Catarrh, Diphtheria and Canker-mouth. Wholesale by Haas, Baruch & Co., and all retail druggists.

GORGONZOLA, English Dairy and Sage Cheese at Jevine's, 130-132 N. Spring.

Kingston Tract!

Magnificent Fruit Land at \$100—PER ACRE—\$100 With Water Right.

The Kingston Tract is part of the famous Jurupa, San Bernardino county, and lies just west of the Santa Ana River, midway between Riverside and Chino.

The world-wide reputation of this section for orange growing needs no puffing, and parties to see the fruit lands bottom prices will not hesitate to buy this tract when once they see the land and surroundings.

The Chino Factory is within easy distance of the tract, and the Kingston Tract will find some of this land well adapted for raising sugar beets.

Two inches of water will be needed to a property in the fifteen-mile irrigation Canal.

We are prepared to contract to set out a tract of 10 acres for \$100 per acre for three years at a small extra charge, so that persons now in business or otherwise occupied can reap the advantages of a growing orchard without the toil of planting.

Cubs or colonies buying eighty acres or more will have special inducements and terms offered.

Agents liberally dealt with. For further particulars apply to C. SUMNER & CO., 107 South Broadway.

Sewing Machines!

At Eastern Prices.



Three drawers, \$35; five drawers, \$57. Seven drawers, \$40. Each machine guaranteed for ten years. Call and examine our stock before you purchase.

Smart's Music Store,

277 S. SPRING ST.

Attention Syndicates & Colonists!

DR. E. T. BARBER.

Now offers for sale the East Side Ranch consisting of 40 acres of valley land located in the watered part of the valley of the Tejano Valley, Los Angeles county, Cal. This land is on three sides of the John Brown Ranch, and the soil products range from \$10 to \$25 per acre. The terms are liberal and the title guaranteed. For maps and particulars inquire or address the owner, DR. E. T. BARBER, Lancaster P. O., Lancaster county, Cal.

ATLANTIC AND PACIFIC Steamship Line. The First-class American Steel Steamer MINNEOLA.....

120 tons register.

Will be disposed of from San Francisco for New York via San Diego, Feb. 22nd, 1892, to be followed by steamers "Mackinaw" and "Keweenaw". For information apply to CHILDS & WALTON, Agents, 118 S. Main st., Los Angeles.

HOUSE PAINTING, Kalsomining and Papering, STAR SIGN CO., 222 Franklin st.

BANKS.

CITIZENS' BANK OF LOS ANGELES, Cor. Third and Spring.

Capital \$100,000.00

S. LOWE, President.

W. BROTHERTON, Vice-President.

D. HALL, Assistant Cashier.

T. S. Lowe, W. B. Billm.

Jabez Perival, C. F. Clark, T. W. Brooks, T. D. Stinson and Robert Hale, General banking business. Bonds for sale and other financial investments.

Similar provisions it is said in the case of Perley vs. County of Muskegon, above cited, that the title to money of the State of Michigan does not pass to the State Treasurer, but remains in the state.

In the case of Yarnell vs. the City, 87 Cal., 603, in effect, that no city officer, nor the city itself, could lawfully make any one except fully authorized officer of the city a custodian of the money of the city.

The act of the treasurer in transferring this money to the defendant was entirely unauthorized and illegal, and necessarily known to be so by the defendant.

The city, as a legal corporation, was a party to the transaction, and therefore it cannot be said that the city is in *per se* so as to invoke the principle that no recovery can be had by either party where they are guilty in an illegal transaction.

The money cannot be deemed to be a general deposit in the bank and subject to the ordinary rules between a bank and its depositor because any such deposit would be unlawful. Such a relation presupposes a lawful right to make the deposit and a right to withdraw from it. In this case the City Treasurer could not lawfully deposit the money and the bank could not lawfully receive it.

The city, which stands in the position of an *interim custodian*, now seeks to recover the amount thus arising from the use of its own funds, and I think it has a clear right to do so.

I am of the opinion that the facts proved do not show an account stated. The keeping of the account was entirely in pursuance of the illegal contract. If one experiments with a illegal and incapable of enforcement, any other express contract must be equally so.

Findings and judgment will be drawn in favor of the plaintiff for \$9721.54 and costs.

SHAW, Judge.

While the Contract Was Illegal, the City Is Entitled to the Profits from the Use of Its Own Funds.

Judge Shaw's Decision in the Suit Against the City Bank.

The Bank Occupied the Position of Trustee for the City.

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